

39-6-16 Military court -- Jurisdiction.

- (1)
- (a) Subject to Subsections (2) and (3), a military court in this state has jurisdiction to try persons subject to this chapter for any offense punishable by this chapter.
 - (b) The military court may, under limitations the governor may prescribe, and under applicable state and federal regulations governing punishment, impose any punishment not prohibited by this chapter or state law, including the issuance of a bad conduct discharge, when the court is in session to consider a penalty.
- (2) Each major command component of the National Guard has military court jurisdiction over all persons subject to this chapter. The exercise of this jurisdiction by one command component over members of another shall be in accordance with regulations prescribed by the governor.
- (3) Members of the Utah National Guard or the unorganized militia in federal service are subject to the federal Uniform Code of Military Justice and all federal and state laws pertaining to them, until released back to state control.

Enacted by Chapter 210, 1988 General Session